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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-eighth session

SUMMARY RECORD OF THE 520th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 15 October 1997, at 10 a.m.

Chairman: Mr. RODRIGUEZ CEDEÑO (Venezuela)
(Vice-Chairman)

CONTENTS

ANNUAL THEME: REPATRIATION CHALLENGES (continued)

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The meeting was called to order at 10.20 a.m.

ANNUAL THEME: REPATRIATION CHALLENGES (agenda item 4) (continued) (A/AC.96/882 and 887)

1. Mr. KAVADZE (Observer for Georgia) expressed his gratitude to UNHCR's staff and to the High Commissioner for their outstanding contribution to solving refugee problems and to the Governments of the United States, Switzerland, Denmark and other donor countries for the funds provided for the UNHCR programme in Georgia.

2. Since its establishment in Georgia, the UNHCR office in Tbilisi had been actively involved in the implementation of post-conflict programmes in the Abkhazia and South Ossetia regions. Abkhazia had been at the top of the Georgian Government's agenda for the past five years. Unfortunately, despite the mediation of the United Nations and the involvement of the international community, efforts to convince the Abkhaz authorities to accept a framework of negotiations which would respect the integrity of Georgia's borders had so far been fruitless, as had the efforts of the international community through the Friends of Georgia contact group. The President of Georgia, Mr. Shevernadze, had recently drawn attention to the danger that acute problems in Abkhazia might detonate and spill over into a much broader area, thereby creating a threat to international peace and security.

3. Pending a breakthrough in the negotiation process, UNHCR continued to assist spontaneous returnees to the Gali area to resettle permanently by providing rehabilitation packages and income-generating activities. The Government of Georgia welcomed UNHCR's increased involvement in other districts of Abkhazia because it would balance the support provided to Gali and help prevent tension between the two ethnic communities. It would also allow UNHCR to extend its field of monitoring and become more familiar with the situation in other areas of Abkhazia.

4. The year 1997 was a transitional year for humanitarian assistance to internally displaced persons residing in government-controlled areas of Georgia. Despite an overall improvement, many internally displaced persons were in critical circumstances and the programme specifically targeted the most vulnerable and needy beneficiaries.

5. As a result of the shortage of funds, UNHCR had had to prioritize its activities and focus, first, on capitalizing on the opportunity for the voluntary repatriation of Georgian refugees to South Ossetia and, secondly, on further boosting its assistance to the estimated 30,000 spontaneous returnees in the Gali region and creating conditions for the sustainable return of the remainder of that region's population. The reorientation of UNHCR's support to the two non-government-controlled areas of return had led to a shortage of funds for its Georgia programme. UNHCR Georgia had therefore had to request a loan from the High Commissioner's Fund for Voluntary Repatriation.

6. A recent positive trend was that ethnic Ossetian refugees had begun to return to Georgia from the Russian Federation. The Government of Georgia was encouraging that process, as shown by the recent statement by the President of Georgia welcoming the return of all refugees and internally displaced persons.

7. Major transnational transportation, oil and gas projects were under way in Georgia, holding out the promise of new opportunities for its population. However, in order for those projects to bear fruit, it was necessary to ensure the secure, organized and sustainable return of hundreds of thousands of people to their homes and Georgia looked to UNHCR for assistance in solving the problems it faced.

8. Mr. MIGUIL (Observer for Djibouti) said that, despite durable solutions to some refugee situations, the refugee problem had never been so acute as in recent years, causing deep concern to countries whose very existence was threatened by massive refugee inflows. However, countries had to assume their humanitarian responsibilities and the international community had to provide all possible support to host countries, some of which accommodated millions of refugees despite their own trying circumstances.

9. Since its independence, the Republic of Djibouti had hosted successive waves of refugees fleeing the crises that had affected the Horn of Africa for some 20 years. Thanks to the UNHCR's support, a large-scale repatriation operation had made it possible voluntarily to repatriate some 36,500 Ethiopian refugees between September 1994 and April 1996. Since then, the problem of Ethiopian refugees in Djibouti had virtually been solved.

10. Djibouti still hosted some 21,900 Somali refugees in camps for which UNHCR was responsible, in addition to 55,000 persons who lived outside the camps and were putting great pressure on Djibouti's limited social infrastructure. The solution to the problem lay as much in development programmes in the refugees' regions of origin as in repatriation.

11. The Government of Djibouti was deeply concerned about its Somali refugee population. The recent improvements in the situation in north-west Somalia made it essential to revitalize the process of the repatriation of Somali refugees from that region, most of whom were living in Djibouti-Ville, where their presence was becoming increasingly difficult for the local population to bear. His delegation therefore officially requested UNHCR to plan the transfer of between 15,000 and 20,000 Somali refugees to camps which had the capacity and infrastructure to accommodate them. There would also have to be a voluntary repatriation programme for those Somali refugees, as there had been in Ethiopia.

12. Djibouti itself had not been spared by civil war, although the wisdom of its population had led to the signing of a peace agreement in December 1994. The former enemies were united at the current meeting of the Executive Committee and were working together to reconstruct and rehabilitate their country. He was pleased to inform the Executive Committee that more than 15,000 persons had spontaneously returned to their homes in Djibouti and that the Ethiopian delegation had given assurances, in the presence of representatives of UNHCR, that an operation would be carried out to register and identify the Djibouti refugees still in Ethiopia before the end of November 1997, prior to a voluntary repatriation operation.

13. The Government of Djibouti urged UNHCR to implement a multisectoral assistance and resettlement programme for the more than 15,000 Djibouti refugees who had spontaneously returned and for its 50,000 internally

displaced persons. The implementation of that programme in 1998 would provide support for his Government in the efforts it was making to rebuild trust and understanding among Djibouti's population. He therefore called on UNHCR to commit itself to conducting a rehabilitation programme for the war-ravaged regions in order to allow the returnees to begin new lives. Reconstruction and rehabilitation would require support both from the international community and from regional institutions such as the Intergovernmental Authority on Development (IGAD), which could help to prevent future refugee crises.

14. Mr. OUEDRAOGO (Observer for Burkina Faso) said that, in addition to the other problems it faced, Africa had to deal with its refugee population of some 6 million persons, whose situation was all the more worrying as they were mainly from the most vulnerable population sectors. Their legitimate desire was to return home as soon as possible and to recover their dignity.

15. The choice of "repatriation challenges" as the annual theme for the Executive Committee's current session could therefore not be more timely. Repatriation, which was the best of all the durable solutions to refugee problems, meant that minimum conditions had to be met in countries of origin and with regard to the role of the international community. In countries of origin, the primary challenge was to restore peace and security in order to guarantee stability. Praiseworthy efforts had been made in Africa and further initiatives were under way to identify durable solutions to the various crises responsible for forced population movements. With the satisfactory conclusion of the electoral process in Liberia, a new page in that country's history had been turned and there was new hope for its refugees. Prospects were better, too, for Mozambican refugees.

16. Unfortunately, there were still areas of tension, as in Angola, in the Great Lakes region and now in Sierra Leone and the Congo, that continued to generate refugee flows.

17. Repatriation had to go hand in hand with reintegration and measures to heal moral and psychological wounds, which were always the hardest to treat. Efforts along those lines would be pointless without resolute support from the international community as a whole. While action in the fields of development assistance, preventive diplomacy, mediation, peace-building and reconstruction was encouraging, it had to be intensified. Particular efforts should be made to strengthen the Organization of African Unity's conflict prevention machinery, which had proved to be very effective. The initiative taken by the members of the Economic Community of West African States (ECOWAS) by deploying the Cease-fire Monitoring Group (ECOMOG) in Liberia had also helped to restore peace in that country, thus paving the way for refugees to return home to take part in national reconstruction.

18. One of the keys to the success of such action was the strengthening of UNHCR's coordinating role and its capacity for intervention in the field. In order to enable the Office to discharge its mandate effectively, there had to be more active solidarity from the international community as a whole.

19. Mr. GYAWALI (Observer for Nepal) said that the annual theme of repatriation challenges was particularly timely as experience over the previous year had brought those very challenges into sharp focus. The

document on the theme (A/AC.96/887) summed up the experience gained and signposted the steps to be taken to meet the challenge of safe and dignified repatriation faced not only by UNHCR, but also by receiving countries, countries of origin and by the international community as a whole.

20. The developing countries bore a disproportionate share of the burden of mass exoduses and had paid a heavy price for them in terms of personnel, environmental degradation and their social and economic impact on the local population. Despite those difficulties, they had not shirked their responsibilities.

21. He was confident that his colleagues from other developing countries shared the conviction that voluntary repatriation was the only viable durable solution and that it could be brought about only by respect for human rights and efforts to address the root causes of displacement. The protracted nature of negotiations with countries of origin and the remoteness of solutions, particularly in obscure refugee situations, left host countries with an even more onerous burden. Refugees were an international problem and responsibility and the concept of burden sharing could not be dismissed simply because the light was not visible at the end of the tunnel. He therefore appealed to donor countries to give serious consideration to the concerns expressed by the High Commissioner about the funding of both the less publicized programmes and the General Programmes.

22. Nepal believed that UNHCR had an important role to play in the reintegration of returnees and welcomed its efforts at coordination with other organizations. It also strongly supported the interlinking of human rights and refugee issues, as referred to in the statements by the High Commissioner for Refugees and the High Commissioner for Human Rights at the Committee's current session.

23. Nepal had been working closely with UNHCR and other countries in the region to develop cooperative measures to deal with problems of refugees and displaced persons. It had participated in the Canberra conference and Bangkok experts meeting and supported UNHCR's commitment to develop an Asia-Pacific approach to refugees and related issues.

24. With regard to the specific problem of Bhutanese refugees in Nepal, he informed the Executive Committee that Nepal was holding a dialogue with Bhutan on an early and durable solution. With trust and goodwill, it should be possible to reach an understanding on a mechanism for a durable solution to the problem in the not-too-distant future. Nepal welcomed suggestions and assistance from UNHCR and from friendly countries to make the bilateral search for solutions successful and assured the Executive Committee that it wanted to see the earliest possible end to the problem of Bhutanese refugees. He took the opportunity to express his Government's deep appreciation to UNHCR, the World Food Programme, international non-governmental organizations and the donor countries which had continued to help it bear the burden of refugees.

25. Mr. MONTENEGRO MALLONA (Nicaragua) said that the international community had established the Office of the United Nations High Commissioner for Refugees in 1951 to provide protection and assistance for the more than 1 million refugees caused by the Second World War. Despite the time that

had passed and the monumental changes that had occurred, the situation of refugees and displaced persons was still one of the most tragic consequences of armed conflicts and violence, as nearly every Nicaraguan could testify. Refugees were the victims of countless difficulties and humanitarian abuses, including discrimination, violence, hunger, the break-up of families and violations of human rights. They were also the main victims of anti-personnel landmines and his delegation took the opportunity to appeal to the international community to sign the international agreement to ban anti-personnel landmines in Ottawa in December 1997.

26. The international community had a duty to join efforts to ensure the protection and dignity of refugees, who were the innocent victims of armed conflict and violence. His delegation supported the request made by Colombia to the High Commissioner for support in seeking viable solutions to the problem of its internally displaced persons.

27. The annual theme for the current session of the Executive Committee - repatriation challenges - was clearly set out in the document prepared by UNHCR (A/AC.96/887) and his delegation shared the view that voluntary repatriation was the preferred solution to refugee problems, provided that refugees were able to reintegrate fully and safely in their countries of origin. As the High Commissioner had rightly pointed out, there was a physical as well as a material aspect to security. If peace was to be consolidated after an armed conflict, sustainable reintegration was a key factor and required efforts to promote reconstruction, strengthen political and legal structures and bring about reconciliation between war-torn populations, with the support of the international community.

28. Central America had felt and continued to feel the effects of more than three decades of violence. The signing of the peace agreements in Guatemala in December 1996 had been a milestone on the road to peace in that region. Central America was setting out on the long and arduous road towards the consolidation of democracy and the achievement of genuinely sustainable development encompassing the political, economic, social, cultural and environmental facets of Central American societies. Some objectives had already been achieved. For the first time in history, all of Central America's Governments had been freely elected and efforts to educate Central American societies in human rights were under way. Those changes had persuaded many Nicaraguans to return home.

29. However, most of the Central American countries still faced major challenges that were beyond the capacity of their recovering economies. Early repatriation was not always the best solution to the problems of refugees and displaced persons, as it could create instability that might hamper the achievement of goals. Efforts had to continue to be made to establish suitable conditions for the reintegration of displaced persons into national life.

30. He commended Mexico on its major contribution to seeking and achieving solutions to the problems of the many displaced persons from Guatemala, and thanked all the countries which had given hospitality and protection to refugees.

31. He particularly thanked the staff of UNHCR and other international agencies working in the field and risking their own lives every day. He called on all countries that had not yet ratified the 1951 Convention relating to the Status of Refugees and its 1967 Protocol to do so as quickly as possible. At a time of so much international movement of persons and goods and such tragic events as those in the Great Lakes region in Africa, in Afghanistan and in Bosnia and Herzegovina, it was more necessary than ever for the international community to take up the challenge by joining its efforts to those of UNHCR in order to protect the rights and dignity of refugees and displaced persons everywhere.

32. Mr. KIM (Observer for the Republic of Korea) said that the 1990s had witnessed not only major increases in refugee numbers, but also a disturbing rise in threats of various kinds to both refugees and aid workers, including UNHCR staff. One of the causes of those trends was confusion about the complex nature of refugee groups, which were too often composed of unsafe combinations of civilians with legitimate claims to assistance, on the one hand, and abusive quasi-military groups, on the other. New types of refugee situations had also developed as a result of mass displacements of populations for economic reasons. A second cause was the growing tendency on the part of Governments and liberation movements to manipulate refugee populations for political motives. Military recruitment among refugee populations and forcible returns of refugees to unsafe areas were examples of such abusive conduct. A third cause was an increasing nervousness on the part of countries of origin and of asylum alike, the former fearing the role played by political opponents among the refugees and the latter viewing refugee camps as a potential source of instability and financial and political strain.

33. Voluntary repatriation was undoubtedly the best method of solving the problems of refugees and Governments alike. Any return of refugees to their country of origin had, of course, to be conditional on their guaranteed safety. Another possible response to refugee crises was organized safe repatriation of willing groups, to be handled by UNHCR in collaboration with the Governments concerned, with a view to reintegrating refugees in their countries of origin and, where possible, their home communities.

34. As the High Commissioner had indicated in her opening statement, however, if repatriation was to succeed it was necessary to prepare effective measures to meet the long-term development needs of the regions concerned. The Quick Impact Programme (QIP) in Nicaragua was a good model of the positive potential for assistance programmes.

35. Success in addressing the refugee situation in general and repatriation challenges in particular was predicated on international cooperation guided by an integrated overall approach including political, military and humanitarian aspects. To that end, the Security Council and the High Commissioner for Human Rights, among others, should focus their attention on refugee problems. The relevant United Nations bodies could contribute to the elimination of the root causes of refugee flows by monitoring the human rights situation in problem countries. UNHCR should cooperate with UNDP, UNICEF, WFP, international financing agencies such as IBRD and donor countries in working to develop areas of return and create stable environments conducive to the permanent resettlement of refugees. Since a drop of prevention was worth a

sea of remedies, efforts should be directed towards the development of effective measures to identify and deal with crisis situations, human rights abuses and political strains in their early stages.

36. With regard to his country's role in shaping the international approach to refugee assistance, he recalled that, on 18 June 1997, the Security Council had adopted a Presidential Statement initiated by the Republic of Korea on protection for humanitarian assistance to refugees and others in conflict situations. The Statement had represented one of the rare occasions on which the Security Council had addressed the refugee issue.

37. During the past three years, his country had greatly increased its contributions to the UNHCR General and Special Programmes, its contribution to the General Programme alone rising fifteen-fold from US$ 100,000 in 1994 to US$ 1,500,000 in 1997. The ever-increasing amount of his country's contributions was a reflection of its commitment to the cause of refugees and its sense of shared responsibility for humanitarian endeavours in general.

38. Mr. VERGNE SABOIA (Brazil) said that, encouraging as they were, the positive developments reported by the High Commissioner could not conceal the magnitude of the challenges still remaining or the seriousness of the situation in certain areas due to lack of respect for the principles of humanitarian law. In the Great Lakes region of Central Africa, UNHCR had been forced to suspend operations for Rwandan refugees in the Democratic Republic of the Congo as the most basic conditions for protecting them had ceased to exist. Blatant violations of basic rules of humanitarian law and human rights standards had unfortunately become frequent in situations of internal conflict, especially those associated with ethnic tensions. The recurrence and increasing gravity of that phenomenon in Africa, where it often served to compound what were already difficult economic and social conditions, gave grounds for deep concern. The use of refugee camps for military or political purposes was one of the most serious manifestations of that trend.

39. The breakdown in solidarity and respect for the human dignity of refugees did not occur exclusively in situations of extreme poverty and political upheaval. Flagrant acts of violation, aggression and discrimination against refugees had taken place in regions other than Africa, including some developed countries where they were motivated by xenophobia and racism and promoted by extremist groups or political parties. In that connection, it should not be forgotten that refugee protection formed an indispensable part of the global human rights regime. Any weakening of the institution of asylum undermined the world's system of human rights protection.

40. The ability of UNHCR to discharge its mandate depended on the willingness of States to fulfil their obligations with regard to asylum and non-refoulement. As the Director of International Protection had emphasized in introducing the Note on International Protection (A/AC.96/882), political support and international respect for the rule of law were crucial to ensuring refugee protection. The agreed minimum standards had to receive proper international support, particularly where the security of refugees was in jeopardy or where refugee camps had to be demilitarized. Large-scale refugee influxes caused by internal conflict were bringing host countries face to face with economic, environmental and security problems which tended to undermine

their willingness and even capacity to provide asylum. The international community's political and economic responses should take into account both the humanitarian and political features and the underlying social and economic causes of crisis situations. Peace-building, reconstruction and development were parts of a continuum in the search for solutions as well as in the prevention of refugee flows.

41. Another major threat to the institution of asylum was related to the increase in mixed movements of genuine asylum-seekers and people fleeing economic hardship, which had given rise to restrictive measures that could also affect persons genuinely in need of protection. His delegation supported the screening mechanisms set up by UNHCR with a view to avoiding abuse and overload in receiving countries, while, at the same time, upholding the principles of international protection and preserving human dignity.

42. With regard to the annual theme of repatriation challenges, his delegation took the view that UNHCR should continue to give high priority to identifying durable solutions to the global refugee problem without detriment to efforts to strengthen the institution of asylum. Difficult dilemmas arose from situations in which repatriation took place in massive numbers under what had been called "less than ideal" conditions - an expression which really meant that the fundamental principle of voluntary repatriation could not be wholly guaranteed and that insecurity still prevailed in the country of return. While recognizing that, in certain situations, reality had to be faced pragmatically with a view to minimizing damage, his delegation believed that the fundamental aim of UNHCR's participation in any operation should remain that of ensuring the protection and physical safety of refugees both in the asylum country and in the country of return.

43. The search for lasting solutions to complex emergencies called for comprehensive approaches, including prevention, protection and solutions that could be supplemented, as appropriate, by international and/or regional initiatives aimed at settling conflicts and promoting development. In that connection, his delegation was particularly gratified to note the results of collaboration between UNHCR and Governments of the Latin American region, notable examples of which were the 1984 Cartagena Declaration, the dual approach adopted by the Governments of Guatemala and Mexico, and the CIREFCA process.

44. In conclusion, he announced that, pursuant to its obligations under the 1951 Convention and the 1967 Protocol, Brazil had recently enacted new legislation defining mechanisms for the implementation of those international instruments. The new legislation, which was in keeping with the most up-to-date and comprehensive national statutes, had been prepared in close cooperation with UNHCR.

45. Mr. SOMOL (Observer for the Czech Republic) said that the national programme of voluntary repatriation of refugees from Bosnia and Herzegovina who had enjoyed temporary asylum in the territory of his country had now been completed. Over a period of nearly six years, more than 5,000 persons had found asylum in facilities offered to refugees by the Czech Republic and several thousand more had been accommodated on a private basis. His Government had worked together with UNHCR from the outset, as well as during

the period of voluntary repatriation. Under the programme, some 500 citizens of Bosnia and Herzegovina had returned to their country in the past two years, many of them to homes whose reconstruction had been funded by the Czech Government and carried out by non-governmental organizations. The returnees had also received a financial contribution and free air tickets. Several hospitals and schools had been rebuilt at the same time as part of efforts to improve the country's infrastructure.

46. Handicapped persons and members of their families who could not return to their country had been granted permanent residence in the Czech Republic for humanitarian reasons.

47. The role played by UNHCR in the repatriation programme was a good example of coordination between the Government and UNHCR in coping with specific problems. He took the opportunity to thank UNHCR and, in particular, its liaison office in Prague.

48. The Czech Republic's asylum policy focused not only on the repatriation of refugees from Bosnia and Herzegovina, but also on the voluntary repatriation of persons whose application for asylum had been refused and of foreigners who had decided to withdraw their applications for asylum. In such cases, the returnees' transport costs were covered by the Czech Republic.

49. His country also counted on the support and assistance of UNHCR in connection with the preparation of new asylum and residence laws in conformity with standards applicable in the countries of the European Union.

50. Mr. LAGOS PIZZATI (Observer for El Salvador) said that the theme of repatriation challenges provided an excellent opportunity for his country to share its experience with the Executive Committee. As everyone knew, El Salvador had undergone a 12-year political and ideological conflict which had resulted in large-scale forced human displacements both in and outside the country. It could therefore state from experience that repatriation challenges did not end with return and the elimination of physical and political insecurity, but required States to be able fully to absorb returnees and provide them with the employment and assistance they needed to live decent lives. As the High Commissioner had said, repatriation was not just a logistical operation. States must be aided by the international community and intergovernmental and non-governmental organizations in shouldering the socio-economic burdens of repatriation. It went without saying that repatriation must always be voluntary.

51. Repatriations in El Salvador had been voluntary and had begun during wartime. Thanks to UNHCR support, 42,000 people had been repatriated between 1984 and 1992. With the signing of the Peace Agreement in 1992, the Government had had to devise a new, more comprehensive migration and population policy that was also consistent with the reconciliation and reconstruction process in the country. Projects and activities had initially been assistance-oriented and had later aimed at reconciliation and the reintegration of the returnees as productive members of society.

52. Those activities had been conducted by government agencies together with international organizations and NGOs, with the active participation of UNHCR

and the families and communities involved. In particular, the Directorate of National Reconstruction and the Social Investment Fund for Local Development had conducted country-wide programmes for meeting the people's most urgent needs. In all, 17 government agencies, 88 non-governmental organizations, 5 international organizations and 115 local governments had participated in those support activities, together with the individuals and communities affected. Cooperation among the various national sectors and coordinated work with the international community had been one of the main factors in meeting the challenge of repatriation in El Salvador. Nevertheless, the Government was well aware that much remained to be done and it pledged to continue to provide its most needy population groups with the tools for achieving sustainable development.

53. Despite the achievement of political and macroeconomic stability in El Salvador, migratory movements had not ceased. The country's socio-economic situation was being adversely affected by an influx of non-recognized refugees who had been involuntarily repatriated without the required institutional coordination, who were not covered by the programmes in place and who were therefore a strain on its reconciliation and reconstruction process. By conservative estimates, there were approximately 1.5 million Salvadorians abroad, many of whom had not yet defined their legal status. That was a matter of deep concern, as further spontaneous repatriations might well increase instability in the country by straining its already taxed absorption capacity. Such fears on the part of countries like El Salvador, which were rebuilding their societies after conflicts, should not be confused with abuses of the asylum system.

54. Repatriation, whether voluntary or not, must lead to permanent solutions. He suggested that the problem he had raised should be tackled through joint action with the international community, to avoid further tension and instability that might endanger peace-building in El Salvador. Therein lay the key to resolving the greatest challenge, that of achieving a balance between man, nature and sustainable development.

55. He welcomed the remarks of the High Commissioner for Human Rights on the relationship between human rights and refugees and commended the efforts of Mexico and Guatemala, together with UNHCR, in repatriating the Guatemalan refugees and thereby helping to build a firm and lasting peace in Central America.

56. Mr. ROUSTAMOV (Observer for Azerbaijan) said that, as a result of aggression on the part of the neighbouring country of Armenia, over 1 million Azerbaijanis had been turned into refugees and forcibly displaced persons. Also as a result of Armenian aggression, 20 per cent of his country's territory, including 14 towns and over 1,000 villages and hamlets, had been occupied; 20,000 persons had perished, 50,000 had been disabled and over 7,000 had been taken hostage or were missing. The socio-economic structure of the occupied territories had been completely destabilized, everything there having been burnt down or looted. According to preliminary data, the damage to the economy was estimated at US$ 40 billion.

57. Some 70,000 citizens forced to resettle from the occupied territories were being housed in makeshift dwellings, railway wagons or under canvas.

Those victims of Armenian aggression had been living under extremely difficult conditions for a number of years, not more than 40 per cent having found employment.

58. The welfare of the refugees and enforced resettlers was constantly at the centre of attention of the country's leadership. When raising the issue of a peaceful settlement of the Karabakh conflict at international conferences or in meetings with the leaders of other countries, the President of Azerbaijan never failed to draw attention to the difficult situation of refugees and enforced resettlers in Azerbaijan. On behalf of the people and Government of his country, he took the opportunity to thank the 50 or more international organizations which were providing humanitarian assistance to his country at the present difficult moment in its history.

59. Azerbaijanis were an extremely home-loving nation. Hardly any of the people obliged to leave their permanent place of residence had left the country. All were waiting with impatience and hope to return to their own homes. After the liberation of the occupied territories, the Government of Azerbaijan would be faced with problems of exceptional complexity which would be impossible to solve without the support and cooperation of the international community and international humanitarian organizations. The work that would have to be done included mine clearance, rehabilitation of housing, public and industrial buildings, utilities, arable land, streets, roads and railways, restoration of communication lines, hydroelectric power installations, etc. A great deal of time and colossal amounts of money would be required. Without external support and financial aid, Azerbaijan would not be able to cope with the task for at least 5 or 10 years. That was the conclusion that had to be drawn from the recent experience of repatriating some 2,000 persons to the village of Goradiz with the financial support of UNHCR, the European Union and the World Bank, to which sincere thanks were due. Reconstruction work was currently taking place in 22 inhabited localities of the same district and families of resettlers were joyfully returning to their homes.

60. For those reasons, he appealed to donor countries and international organizations to increase the assistance provided to Azerbaijan for purposes of rehabilitation.

61. Questions pertaining to the repatriation of enforced resettlers had been discussed on a number of occasions in the Cabinet of Ministers of Azerbaijan with representatives of UNHCR, IOM and the relevant ministries and non-governmental organizations. A national programme on matters relating to refugees and enforced migration had been drawn up in Azerbaijan under the Programme of Action adopted at the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held in Geneva in May 1996. A commission established by the Prime Minister to draw up a unified national programme on migration was working in close cooperation with IOM and it was hoped that IOM would shortly take a favourable decision on the question of financing the programme with the help of donor countries. A State commission had been established to deal with questions of the restoration and reconstruction of liberated territories and Parliament had begun

considering draft acts on citizenship, migration, emigration and other matters, all of which were in line with standards of international law. Work was also proceeding, with the active assistance of members of the UNHCR mission to Azerbaijan, on amending and supplementing the Act on the Status of Refugees and Enforced Resettlers in the Republic of Azerbaijan.

62. Expressing his people's confidence that the prolonged conflict with Armenia would soon be settled by peaceful means, he recalled the position of his Government on the Karabakh problem, as confirmed at the Lisbon Summit of Heads of State and Government of member countries of OSCE held in December 1996.

63. In conclusion, he again appealed to the international community, international organizations and donor countries to give his country all possible help and financial and moral support with a view to the achievement of a peaceful settlement of the Karabakh problem and the preparation and implementation of the process of repatriation.

64. Mr. ILLANES FERNANDEZ (Observer for Chile) said that his country was participating in the discussion on repatriation challenges from the perspective of a country which had at one time been responsible for a large-scale refugee flow and received generous aid from the international community, UNHCR in particular. Together with IOM and other participants, UNHCR had also played a positive role in helping to re-establish democracy in Chile and in implementing the programme for the return of Chilean refugees, for which the Government and beneficiaries of that programme would always be grateful.

65. He agreed with the High Commissioner that repatriation was not just a logistical operation, but a complex one that must include assistance, rehabilitation and reintegration into society.

66. Refugee-producing crises had changed over the years from political and ideological conflicts settled by force, as in Latin America and his own country in the 1970s, to conflicts involving ethnic and racial hatred and unwonted violence. In all those crises, UNHCR had shown an admirable ability to identify the specific features of each situation, without discrimination, as a basis for designing appropriate humanitarian aid responses.

67. Repatriation processes must consider a range of problems involved in large-scale displacements. He reiterated the importance of preserving the three pillars of international protection: the right of asylum, non-refoulement and the voluntary nature of repatriation.

68. The available documentation and the High Commissioner's statement raised some important issues. Ending refugee-producing situations was a prerequisite for a comprehensive solution to the problem, for two reasons. First, it was necessary to create appropriate conditions of security for returnees through a genuine process of reconciliation aimed at deactivating feelings of hatred and violence. Secondly, because of the adverse consequences of prolonged periods in exile for refugees' subsequent reintegration in their countries of origin, efforts should focus on prompt and effective crisis resolution. He added that crises which were of short duration enabled returnees better to adapt to the

return process by enabling them to maintain a network of employment, social, professional and family contacts. Prolonged periods in exile, however, destroyed that network and led to feelings of frustration, exclusion and abandonment.

69. Recent events, especially those in the Great Lakes region of Africa, had pointed up the extent of the damage created by mass displacements in host countries, which were often undergoing similar situations of conflict or poverty. They had also demonstrated the importance of the development component and the need for the international community to provide such countries with adequate assistance. Effective prevention and early-warning mechanisms required development investment, which was preferable to and more profitable than burdensome refugee camps.

70. In view of the foregoing, it was more timely than ever to consider the possibility of establishing a world programme of development assistance in response to humanitarian crises, with participation by UNHCR, the Office of the High Commissioner for Human Rights, the humanitarian assistance agencies, the United Nations Development Programme, the World Health Organization, the Economic and Social Council and the Security Council. Such a programme would pave the way for a comprehensive and integrated approach to the problem and help devise appropriate means of solving it.

71. Prince GUDUZA (Observer for Swaziland) said that, although resolving any humanitarian emergency was a formidable task, the problem was compounded when repeated emergencies and atrocities occurred in a short period of time, as in Sierra Leone, Congo Brazzaville and the former Zaire. Those wanton destructions continued to inflict untold physical and psychological suffering on both victims and care-givers. He noted with concern the heinous practice of using refugees and humanitarian agency staff as human shields and moving targets and said he was confident that the Executive Committee would do its utmost to end it.

72. Turning to the annual theme, he said that the only organized repatriation carried out from Swaziland had been part of the Mozambican repatriation exercise. He again commended all the parties which had organized that exercise, considered to be one of the most successful repatriation operations so far undertaken in Africa. That having been said, the challenges remained daunting.

73. Although voluntary repatriation remained the most desirable durable solution, a viable and holistic strategy was far from achieved. The reasons were many. Despite UNHCR's efforts to secure voluntary repatriation, forced repatriations continued to occur. In many cases, the victims experienced a double tragedy, having been forced to leave their countries of origin and then forced to return. It was also worth noting that any repatriation exercise was futile if limited assistance was made available to returnee programmes. To a large extent, the success of the Mozambican repatriation had been the result of the conscious efforts made to ensure that returnee programmes also received attention. Another concern was the disregard for individuals who opted to return home spontaneously without the assistance of the international community. If such individuals were marginalized, inter-group atrocities and jealousy would be perpetuated.

74. Another important factor overlooked by in-country refugee programmes was the need to promote a culture of peace and tolerance while refugees were in exile. It was important to provide the affected individuals with psychological support, both in countries of asylum and on return to their countries of origin, or further bouts of hostilities between returnees and perpetrators would jeopardize the entire repatriation exercise. In Swaziland, the local UNHCR Office and PARinAC members had adopted the promotion of a culture of peace, tolerance and reconciliation and stress and trauma healing as one of the main objectives of the country programme. Another problematic area was the absence of accurate refugee statistics. That problem became even more complicated when refugees decided spontaneously to settle within the host society in non-refugee zones, as hundreds of thousands of Mozambican refugees had done in Swaziland.

75. With regard to prevention, the international community must, as a matter of priority, show a real commitment to preventive diplomacy, the strengthening of mediation efforts and the promotion of the peaceful settlement of disputes. He commended the efforts by the Organization of African Unity, the United Nations and other regional bodies to strengthen the global watch facility, designed to detect threats to international peace. However, global watch and early-warning units could work effectively only if there was a corresponding mechanism in place for preventive action. Although the ultimate solutions to social and political problems could be devised only by the people of a particular country, all countries had an interest in devising long-term strategies aimed at sustaining peace efforts. Everyone should be committed to continuous investment in that area in order to reap the benefits later.

76. The world had become a global village, where the downfall of one country affected others tremendously. In addition to sending special envoys to troubled areas when problems had already taken root, the United Nations might consider installing special envoys in all regions to assist Governments and various factions to settle their disagreements before they degenerated into real disputes. The benefits of such proactive investment would be harvested by all.

77. Mr. MWAMBULUKUTU (United Republic of Tanzania) said that Tanzania had a long tradition as a country of asylum. Some 540,000 Rwandan refugees had left Tanzania to return home at the end of 1996, but another 300,000 remained. While Tanzania would continue to accept genuine refugees and to endeavour to fulfil its international obligations in that regard, the burden of asylum could endanger national security, exacerbate tensions between States and cause extensive damage to the environment and infrastructures. Only after the departure of the Rwandans from his country had the full impact of the damage caused by their presence become clear. One lesson learned from that experience was that assistance must be provided, not only to refugees, but also to countries of asylum both during and after their departure, since resentful local populations might become hostile to refugees and oppose local integration.

78. In the Kagera region, security had deteriorated alarmingly as a result of armed criminal elements from among the refugees who had refused to return and had gone into hiding. In Kigoma, a new security concern had arisen

following repeated allegations by Burundi that the camps in that region were being used for military activities against the Government of President Pierre Buyoya. In response to those allegations, the Tanzanian Government and UNHCR had sent a joint mission to Kigoma in May to assess the situation there. That mission had discovered that some of the Burundian refugee camps were under the influence of competing political groups which provoked violence, but it had found no evidence of military activities in the camps. The mission had made a series of recommendations aimed at strengthening security arrangements in and around the camps and at ensuring their civilian and humanitarian character. Tanzania would not permit a recurrence of the situation which had developed in Eastern Kivu between 1994 and 1996 and supported the High Commissioner's appeal to the international community to assist it and UNHCR in implementing the joint mission's recommendations.

79. Tanzania was also faced with a growing problem caused by illegal immigrants from neighbouring and other countries, some of them former refugees who had failed to take advantage of Tanzania's offer for citizenship and residence permits during the 1970s and whose presence had compounded the security and crime problems in regions which also hosted refugees. Tanzania had agreed to establish a screening mechanism to ensure that genuine refugees were given protection and assistance. The implementation of that new policy still left much to be desired in remote parts of the country and media reports had sometimes distorted or misunderstood the complexity of the challenges faced by Tanzania in its efforts to meet its humanitarian obligations while preserving its national interests. The Government would continue to work with UNHCR in cases that affected refugees and asylum-seekers.

80. While the repatriation of refugees was the ideal solution, it was sometimes impossible as a result of inadequate preparation, lack of resources or conditions in the country of origin. In other cases, conflicts over issues of land and property ownership had developed between returnees and those who had never left the country of origin. Countries of origin must receive post-repatriation assistance in order to guarantee the "soft landing" of returnees and to prevent future conflicts and new refugee outflows. Furthermore, Governments had become reluctant to grant asylum to refugees where protection was perceived as a way of obtaining permanent residence in countries of asylum.

81. The Rwandan refugee crisis had been one of the most frustrating experiences in Tanzania's history as a country of asylum because of the presence of organized elements among the refugees which had successfully frustrated repatriation through intimidation and manipulation. Although Tanzanian law enforcement officials had neutralized and contained those armed elements at an early stage, power structures in the camps had continued to discourage repatriation and to move the refugee population away from the camps and into the interior of the country at a time when Tanzania and UNHCR had been working to promote voluntary repatriation.

82. As a result of a tripartite agreement between Tanzania, the Democratic Republic of the Congo and UNHCR, nearly 30,000 of the 74,000 Congolese refugees in Tanzania had registered for voluntary repatriation to Southern Kivu, and 5,000 of them had already returned. In view of the

ongoing conflict in Burundi and the stalemate in the peace process there, organized repatriation should not be encouraged. However, the Kigoma authorities were working with UNHCR to facilitate spontaneous returns to relatively safe areas, and he hoped that those returnees would be protected when they arrived in Burundi.

83. He reaffirmed Tanzania's commitment to humanitarian principles and the refugee conventions to which it was a party and its support for the work of UNHCR and he called for a regional approach to the refugee problem in the Great Lakes region and for concerted action and support from the members of the Executive Committee and the international community as a whole.

84. Mr. DEMBELE (Mali) said that, during 1996, UNHCR had continued to assist his Government in dealing with the refugee crisis in Mali. To date, a total of 110,000 refugees had been repatriated, 50,000 of them during the past year. That number would have been far greater if the High Commissioner's 1996 call for funds had met with greater success. He thanked UNHCR, the World Food Programme (WFP) and the Governments of Algeria, Burkina Faso, Mauritania and Niger for their assistance.

85. However, much remained to be done. Nearly 300,000 people, half of them repatriated refugees and the other half internally displaced persons or people living in extreme poverty as a result of the conflict, must be reintegrated into Malian society. The success of that process was dependent on the continued presence of UNHCR and on additional funding from the international community. During the past three years, peace and security had been restored, government control over the north of the country had been re-established, the reconciliation of the northern communities had been achieved, anti-repatriation propaganda had been countered and nearly 300 resettlement sites chosen by the refugees throughout the Saharo-Sahelian region of over 1,240,000 km^2 had been developed. Those achievements might be compromised unless the target date for termination of the UNHCR rehabilitation programme, 31 December 1998, was made subject to negotiation according to the needs of the situation.

86. The Malian approach to the conflict in the north of the country had been discussed at the European Union/South African Development Community Ministerial Conference, held at Windhoek in October 1996, and could serve as an example for a possible solution to other conflicts. He called on the international community to provide UNHCR with the necessary human, material and financial resources so that it could bring its humanitarian efforts in Mali to a successful conclusion.

87. Mr. AMAT FORES (Observer for Cuba) said that his Government welcomed the annual theme, "repatriation challenges", at a time when the cold war had ended and there had been a great increase in the number of refugees worldwide as a result of natural disasters, wars and conflicts.

88. Refugees must be repatriated only on a voluntary basis and UNHCR should try to find ways of encouraging voluntary repatriation as a lasting solution in the majority of cases. At the same time, States often sought bilateral solutions to conflicts and UNHCR should refrain from expressing an opinion on bilateral decisions or agreements concerning refugees or migration.

Paragraphs 24 to 28 of document A/AC.96/887 on reconciliation included statements which went beyond the mandate of UNHCR and linked its functions with prerogatives that were those of States or intergovernmental bodies.

89. The rights of refugees must not be abused in ways which might threaten the legitimacy of the status they enjoyed. On the other hand, it was incumbent on refugees to behave in a way appropriate to their status and to interact with host communities in such a way as to achieve a balance between their rights and duties.

90. Generally speaking, Cuba did not receive large numbers of refugees. However, a certain number of Haitian refugees had fled to Cuba, where they had been housed in the Cuban Red Cross camp in Punta de Maisí. During 1996, 10 groups of Haitian refugees had arrived in Cuba, while 912 Haitians had been repatriated in four operations at a cost of US$ 61,000 which had been defrayed by the International Organization for Migration (IOM) since, owing to the change in the political situation of Haiti, UNHCR no longer considered the people in question to be refugees. No new refugees had been admitted to the camp in 1997.

91. In conclusion, he reiterated his Government's intention to provide continued support for the work of UNHCR despite the blockade from which Cuba had suffered for the past 40 years.

92. Mr. NDJADDER-BEDAYA (Central African Republic) said that the return of hundreds of thousands of Rwandans from Tanzania and the former Zaire in 1996 had been accompanied by the exodus of a massive number of Zairian soldiers and Rwandan refugees who had fled the advancing revolutionary forces and were currently in the Republic of the Congo and the Central African Republic.

93. His country was hosting tens of thousands of refugees, not only from Rwanda and the former Zaire, but also from Chad, Liberia, the Republic of the Congo and the Sudan. As a result of various programmes, most of the Sudanese refugees had become somewhat self-sufficient and the majority of the Chadian refugees had been repatriated. Some 200 refugees who had fled the Republic of the Congo during the recent events there had voluntarily returned home, as had nearly 300 refugees from the Democratic Republic of the Congo who had chosen to return despite their difficult situation as members of the guard of former President Mobutu and who, as a result of negotiations between the Government of the Central African Republic and that of the Democratic Republic of the Congo, had been incorporated into the latter's armed forces.

94. With regard to the Rwandan refugees, his Government shared the concern expressed by the international community and supported the implementation of the international conventions governing the situation of refugees. As early as 1993, the Central African Republic had established the National Commission on Refugees. It had a long tradition of unconditional acceptance of refugees, not only from Africa, but also from Europe and elsewhere. His Government would never allow its territory to be used as a base for subversive activity against its allies and neighbours. A special session of the Commission on Refugees' Sub-Commission on Eligibility, to which UNHCR had been admitted as an observer, had been convened in order to determine the status of the Rwandan refugees. Because of the political problems in the subregion with which that

group was associated, it had been decided that it would be best for them to be transferred to a third State within a reasonable time period. His Government's decision on that matter was non-negotiable.

95. The international community had been a witness to his country's fulfilment of its responsibilities and it was time for that community to assume its own. He ensured the High Commissioner that the flagrant violations of humanitarian law which had occurred elsewhere in the subregion would not be repeated in his own country and called on her to assist in ensuring the prompt transfer of the refugees. His Government was attempting to mediate between rival factions in the subregion in the hope that, through preventive diplomacy, all the refugees would one day have left the Central African Republic.

96. He noted that, throughout 1996 and the first half of 1997, his country had experienced a series of rebellions of a military, ethnic and political nature whose origins lay both within and outside the country and which had destroyed the national economy and weakened the democratic institutions established through free, transparent and multi-party elections held under international supervision in October 1993. State employees had not been paid in over six months and, as a consequence, a portion of the army had rebelled in April 1996. The Bretton Woods institutions had recently forced his Government to make a debt payment of nearly 2 billion CFA francs which had compelled the latter to cancel its plans to pay State employees one month's salary at the beginning of the 1997 school year. Inevitably, some teachers had begun a strike, which had not yet ended. That situation made it all the more urgent for the current refugee crisis to be resolved.

97. Mr. NAZARIAN (Observer for Armenia), speaking in exercise of the right of reply, said he wanted to correct some of the statements made by the representative of Azerbaijan and, in particular, to object to the latter's use of the term "Armenian aggression". It was well known that the conflict in Nagorno-Karabakh lay between the self-defence forces of that region and the Azerbaijani army. The reference to Armenia as an aggressor in that conflict was therefore unacceptable, unethical and contrary to international norms. Azerbaijan had always tended to exaggerate facts and distort statistical data in an effort to impose its version of events on international institutions and donor countries. That position not only contributed to an escalation of tension in the region, but also had unfavourable consequences for the refugees themselves, as in the Barda and Immishli camps, where refugees were being held for the sole purpose of acquiring funds.

98. His Government had already paid the equivalent of US$ 110 million to Azerbaijani refugees in compensation for the property which they had lost on leaving the country. Unfortunately, Azerbaijan had done nothing to indemnify the 350,000 Armenians who had been forced to leave Azerbaijan and had been awaiting compensation for nearly 10 years. He called on the Executive Committee to draw the attention of the Azerbaijani authorities to that important matter.

The meeting rose at 1.05 p.m.